

REMARKS

This application has been reviewed carefully in view of the Office Action mailed June 13, 2002. In that Office Action, a previous verbal restriction requirement was restated. Additionally, claims 1-8 were rejected under 35 U.S.C. § 102(b), and under 35 U.S.C. § 103(a), as allegedly unpatentable over Yaw (U.S. Pat. No. 5,080,942).

These objections and rejections are addressed as follows:

10 RESTRICTION REQUIREMENT

Applicant appreciates the patience exhibited by the Examiner in waiting for an answer to the telephonic restriction requirement. Applicant now confirms the election of Group I, claims 1-8, and does so without traverse.

15 35 U.S.C. § 102(b) and § 103(a) REJECTIONS

Before specifically addressing this rejection, it will be helpful first to briefly summarize Applicant's invention. The invention resides in a rubber composition. This composition includes a rubber component, polybutene and white carbon. This combination of components is characterized by a flexibility and durability that lends it to numerous uses wherein other rubber compositions would suffer higher levels of degradation than the rubber composition of the present invention. Among these uses is a use as pipe for carrying chlorinated water, such as in common use in water distribution systems.

25 Claims 1-8

The patent to Yaw, U.S. Pat. No. 5,080,942, discloses a rubber composition that includes carbon black, see, e.g., col 7, l. 15; col. 9, l. 21; and col. 9, l. 68. Many preferred

uses for the present invention provide exposure to substances such as chlorine at levels that will degrade rubber compositions. When a rubber composition including carbon black is exposed to chlorinated water, the carbon black will typically adsorb the chlorine, which will then react with the rubber component in the rubber composition, thereby degrading the rubber composition.

Compared with a rubber composition containing carbon black, a rubber composition under the present invention, being free of carbon black, has a prolonged service life and durability. Therefore, the present invention is novel and not obvious over the Yaw patent.

Claim one now recites a rubber composition consisting essentially of a rubber component, polybutene and white carbon. The Yaw patent fails to disclose a rubber composition consisting essentially of a rubber component, polybutene and white carbon, and thus fails to anticipate or make obvious the invention of claim 1. Therefore, Applicant respectfully requests the Examiner cancel the rejections of claims 1-8 under §§ 102(b) and 103(a).

Claims 7, 8 and 12

Claims 7 and 8 recite that the rubber composition is configured in the shape of a water supply pipe (or a part thereof). Claim 12 recites a water piping comprising a rubber composition consisting essentially of a rubber component, polybutene and white carbon. Since municipal water pipes typically contain chlorine, the aforementioned features and advantages are particularly relevant for the invention of claims 7, 8 and 12. The Yaw patent fails to disclose a rubber composition consisting essentially of a rubber component, polybutene and white carbon, in the shape of a water pipe or a portion thereof, and thus fails to anticipate or make obvious the invention of claims 7, 8 or 12. Therefore, Applicant

respectfully further requests the Examiner cancel the rejections of claims 7 and 8 under §§ 102(b) and 103(a), and to allow claim 12.

Claim 11

5 Claim 11 recites a further silane coupler component of γ -glycidoxypentyl trialkoxysilane. The Yaw patent fails to disclose a rubber composition consisting essentially of a rubber component, polybutene and white carbon, and further comprising a silane coupler of γ -glycidoxypentyl trialkoxysilane. Therefore, the Applicant respectfully further requests the Examiner allow claim 11.

10 CONCLUSION

 In view of the foregoing amendments and remarks, Applicant requests favorable consideration and allowance of all claims in the application.

15 Respectfully submitted,

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Version With Markings to Show Changes Made

1. (amended) A rubber composition [comprising] consisting essentially of a rubber component, polybutene and white carbon.